

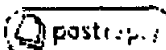
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ISSUE #15: Resolution of complaints concerning PEGs

zncu::s:i--



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Author

Message

[Comment on draft PEG](#)
plan
Regular

Joined: 18 Jul 2003

19



Posted: Mon Jul 21, 2003 1:37 pm

Post subject: ISSUE #15: Resolution of

[Quote](#)

ISSUE #15: Resolution of complaints concerning PEGs

[\(Click here to review - ISSUE #15\)](#)

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digitaleye
Regular

Joined: 19 Jul 2003



Posted: Fri Aug 01, 2003 6:51 am

Post subject: ISSUE #15: Resolution of

complaints concerning PEGs

[Quote](#)

"The appropriate resolution of complaints by the PEGs is a factor taken into account by the DCCA in evaluating the performance of each PEG. "

Quote:

Posts: 12

The majority of complaints to date have been bylaw violations by the board and self serving behaviour by both the board and administrators. Apparently DCCA and the PEGs feel "the appropriate resolution" is to change the bylaw(s) in question because the PEGs say they are too ambiguous. By the following definition you can see that the word "appropriate" could easily be misinterpreted by the PEGs &/or the DCCA so perhaps a less ambiguous, community based term should be used in place of "appropriate" like "pono".

From Webster's Revised Unabridged Dictionary (1913) (web1913)

'Appropriate \Ap*pro"pri*ate\, v. t. [imp. & p. p. {Appropriated}; p. pr. & vb. n. {Appropriating}.] 1. To take to one's self in exclusion of others; to claim or use as by an exclusive right; as, let no man appropriate the use of a common benefit.

2. To set apart for, or assign to, a particular person or use, in exclusion of all others; -- with to or for; as, a spot of ground is appropriated for a garden; to appropriate money for the increase of the navy.

3. To make suitable; to suit. [Archaic] --Paley.

4. (Eng. Eccl. Law) To annex, as a benefice, to a spiritual corporation, as its property. --Blackstone. [/b]

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guest2
Guest

Posted: Fri Aug 01, 2003 7:56 am Post subject: really?

[quote](#)

Of course bylaw violations and self-serving behaviors need to be addressed seriously and not just by changing the rules or ignoring them.

Note: It appears from public records that these are issues more for some islands than for others.

However important they are, one doubts that these sorts of ethical complaints are more than a tiny fraction of complaints received by PEGs.

Other important questions might include how PEGs address specific types of complaints, such as viewer complaints about programming on channels and online, like political content, privacy issues, adult content, slander, commercialism, low quality picture or sound, etc.

Is consumer advocacy about cable TV service part of the PEG mission? If so, in customer complaints are part of the equation. What about complaints regarding cable TV operators billing practices, or their particular use of the public rights way?

There are many different kinds of complaints that need to be addressed in order to serve the PEG mission. It doesn't appear that DCCA's cable office has any role as consumer advocate - if they do, it's time to audit that function.

What about complaints from elected officials, political insiders, established institutions and those who bankroll campaigns, about their loss of influence because PEGs are doing their job! Empowering the community's voice change the historic structure and diminishes power for the few in favor of the many. Surr

the **PEGs** hear those complaints too.

Seems as though **PEG's** response to the last question is the true test of community access TV. How will they stand up for the disenfranchised?

Let's not ask this question of the **PEG's** too narrowly.

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Carol Bain
Hyper Active

1 1 1 1 1



Joined: 05 Jul 2002
Posts: 55

Posted: Fri Aug 08, 2003 9:51 am Post subject: complaints

quote

On Sept. 7, 2001, when a **PEG** board was changing their bylaws to take out major sections of the open meetings (HRS-92 sunshine) laws, three people objected by speaking in a scolding voice for 3-5 minutes at the end of the meeting (the board offered no public input opportunity prior to their decision). No verbal or physical threats were made by the the three members of the public; just scolding.

I kept silent. I witnessed this, and those three who spoke were all immediately "terminated" from the **PEG** access facility, simply for speaking out which was considered "disruptive" at the board meeting. The next public board meeting, when these 3 showed up to speak again the police were called and they were threatened with trespass on private property.

Calling on uniformed police, who's police report shows the investigation found absolutely no threat or disruption, is extremely bad policy. ☹

There was no grievance or complaint procedure...though they had a procedure in writing, none was followed. In fact, I attempted to find a mediator and the president of the board cancelled at the last day. The second attempt at mediation was refused again. DCCA refused to assist.

After about year, I found out 2 of the people terminated were send a letter saying they were no longer terminated.

This is not a good complaint procedure. **PEG** access needs a CAC to oversee this entire Issue.

Carol Bain

"Freedom of the press is the staff of life for any vital democracy." quote by Wendell Willkie

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digitaleye
Regular

1 1 1



Joined: 19 Jul 2003
Posts: 12

Posted: Fri Aug 08, 2003 3:56 pm Post subject: ISSUE #15: Resolution of complaints concerning PEGs

quote

Issue # 15 states:

"To accomplish this objective, DCCA will relay complaints to the **PEGs** and request a copy of the responses to those complaints.

The appropriate resolution of complaints by the **PEGs** is a Factor taken into account

by the DCCA in evaluating the performance of each PEG. "

Who decides what is "The appropriate resolution of complaints by the PEGs", and where does one view DCCA's evaluation of the performance of each PEG.? How often, if at all, are these evaluations done? What if any actions have been taken if an evaluation has been poor and where can the documentation of actions taken be viewed?

To date there have been over 30 bylaw violations reported to DCCA and the only resolutions I have witnessed are that those in violation just change or remove the bylaw(s) being violated. Is this what DCCA considers an "appropriate resolution"? It would appear so.

'Olelo's ongoing discriminatory practices have been continually pointed out to the DCCA and on only one occasion was anything done by DCCA. They sent this letter: <http://hpam.hi.net/dcca/dccapublic.gif> to the 'Olelo board of directors to which no response was rendered either to DCCA or the person filing the complaint. Is that what DCCA considers an "appropriate resolution"? The DCCA was requested to remove all of its appointed directors "with cause" citing the DCCA appointed board directors as the ones responsible for the discriminatory practices as they were result of board unanimously approved initiatives. Discriminatory practices continue to this day even though DCCA's administrative rules mandate that access to the channels be on a "first come, non-discriminatory basis". In light of that it would appear DCCA is in violation of its own administrative rules amongst potential violations.

Perhaps if DCCA were to put in writing a bona fide process for and penalties for not coming up with an "appropriate resolution" the public could comment on it, but without it we will just assume that "Resolution of complaints concerning PEGs" will continue to go into a black hole.

jg

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ERI Coll
Hyper Active
■ ■ ■ ■ ■



Joined: 04 Jul 2002
Posts: 207
Location: Here Now

Posted: Sat Aug 09, 2003 6:07 pm Post subject: The Kafka Wheel of Torture

[Quote](#)

Censorship is retroactive - You can say whatever you want - they will retaliate later ☺

Here is the template DCCA uses to "resolved" complaints

Quote:

Dear Complainer,

Your complaint has been recieved and forwardec

to (Fill in access organization here). Please refer all further coorspondence regarding this matter to (fill in access organization here).

We feel sure (fill in name of access organization here) will resolve this matter to your satisfaction.

Of course nothing is done but exact further retaliation. 😡 After I resigned from the board in protest of repeated bylaw violations I complained to DCCA. In Retaliation Hoike "terminated" my access to facilities so I could **no** attend board meetings to bear witness of their repeated violations 😡 This was not to my satisfaction but apparently Hoike (and DCCA) were OK with this remedy 😞

Ed Coli - Asking questions is a human right!

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Ed Coll
Hyper Active



Joined: 04 Jul 2002
Posts: 207
Location: Here Now

📅 Posted: Mon Aug 11, 2003 9:40 pm Post subject: DCCA does not regulate Access Organizations!! 🗨️ q

DCCA does not regulate Access Organizations 😞 Then who does ? Nobody 😊

See the letter from DCCA 😞

<http://kauai.net/abcess/djune19.html>

Ed Coll - Asking questions is a human right!

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IV dude
Guest

📅 Posted: Thu Aug 14, 2003 10:40 pm Post subject:

🗨️ q

It looks like the fundamental problem is confusion over who "owns" PEG. I think it will take the courts or the legislature to clear this one up.

The publics position:

We pay for it all and don't get participate in how it is run. We only get one out of five channels. That one channel is controlled and censored by local PEG. What doe the "P" in PEG mean? What happened to America?

Ho'ike, local PEG position:

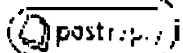
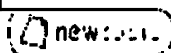
This is OUR private business. Screw the public, in fact, we are going to grow by taking ratepayers money to compete with private media production businesses. Wow, that was a tough boardroom meeting trashing the bylaws, sunshine and throwing out the public, time For our free pupus. Isn't this a great country.

DCCA's position:

We just helped start **PEG**. Even though we receive close to 15% of the entire states **PEG** budget and appoint the majority of the **PEG** boards, we really don't have oversight of **PEG's**. We just mediate problems between the boards and public through private close meetings that the public can't attend. However we will fly to Kaua'i in person to listen to the publics complaints to tell them we can't do anything about them. Don't worry if I have relatives working at the cable company, we have the publics interest in mind at these tough cable negotiations in the bedroom, I mean boardroom. Maybe we need a legal opinion what is America?

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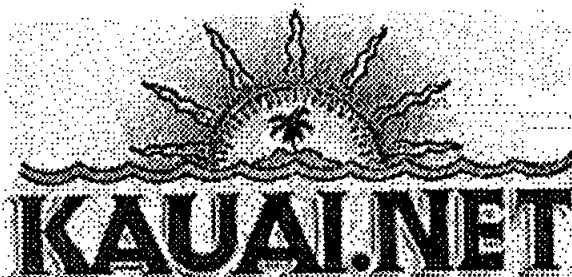
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ISSUE #9- PEG By-laws

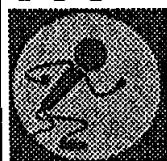
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Author

Message

Comment on **draft PEG plan**
 Regular



Joined: 18 Jul 2003
 Posts: 19

☐ Posted: Mon Jul 21, 2003 1:31 pm Post subject: ISSUE #9- PEG By-laws

[quote](#)

ISSUE #9: PEG By-laws (Click here to review - **ISSUE #9**)

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Carol Bain
 Hyper Active



Joined: 05 Jul 2002

☐ Posted: Wed Aug 13, 2003 3:52 pm Post subject: bylaws not followed

[quote](#)

Over the past Few years, especially in 2000-2001, I wrote several letters to DCCA informing the director that the Hoike Board was violating its own bylaws repeatedly, and changing bylaws, going into executive session illegally, etc...many problems.

Hoike stripped off most sections of the original bylaws that supported HRS-92 sunshine laws. Just last month, in June, they totally removed the Program

Posts: 55

Committee, which was once were members of the public could have input at the committee level.

I tried to communicate with the Holke boardmembers over the recent years...their attitude was the public was "interfering" and had no business being at board meetings anyway as they were a "private" non profit.

Deliberations and decisions now occur in private committee meetings that are unannounced and no public is allowed.

Very poor practice; no accountability or respect for public participation.

Recommendations: DCCA should insist, through its annual Decision & Order process, that HRS-92 and HRS-92F be followed by all PEG boards.

I also think that boards should be openly nominated and openly elected.

Carol Bain

"Freedom of the press is the staff of life for any vital democracy." quote by Wendell Wilkie

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IDV dude
(Guest)

Posted: Thu Aug 14, 2003 9:44 pm Post subject:

[quote](#)

I think with a little research we will find a number of statutes and laws were broken both with Ho'iike trashing the bylaws, and sunshine, and the DCCA doing NOTHING about it.

It looks like we are headed to court unless the DCCA does it's job. Like cleaning up this private club at Ho'iike calling themselves PEG board members.

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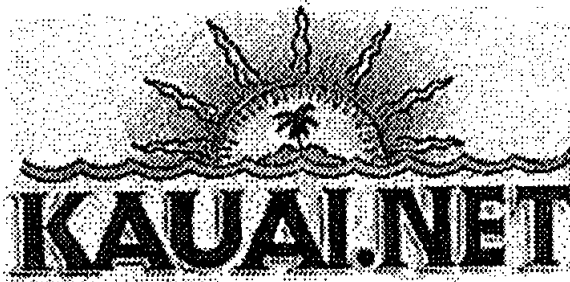
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ISSUE #7: Greater Community Participation

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Author

Message

Comment on draft PEG
plan
Regular



Joined: 18 Jul 2003
Posts: 19

Posted: Fri Jul 18, 2003 5:12 pm Post subject: ISSUE X7: Greater Community Participation

[quote](#)

ISSUE #7: Greater Community Participation @ (Click here to review - ISSUE #7)

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E

RobReef
Occasional



Posted: Tue Jul 29, 2003 6:48 pm Post subject: Why Not Broadcast Board Meetings?

[quote](#)

broadcast the board meetings to keep people informed of their activities 😊

Has anyone thought of this simple solution ?

Joined: 08 Sep 2002
 Posts: 9
 Location: Honolulu, HI

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Guest

Rob Reef

[profile](#) [pm](#)

Posted: Tue Jul 29, 2003 9:07 pm Post subject:

[quote](#)

Yeah -- you have a problem with access to resources alright! The problem is, your programming is available only to people with CABLE TELEVISION. Hel-lo. This leaves out thousands and thousands of us who choose to not pay Bill, Ted and their friends in SilVal. So -- until you decide to provide your programs free (F-R-E-E, i.e., without charge) please refrain from calling your system PUBLIC access. It's a 100% PRIVATE Pay TV system, so don't suggest otherwise. Mahalo. ☺

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Carol Bain
 Hyper Active

[profile](#) [pm](#)



Joined: 05 Jul 2002
 Posts: 55

Posted: Wed Jul 30, 2003 8:43 am Post subject: educating the public about the issues

[quote](#)

other basic fundamentals of origin. As long as they keep the public befuddled, PEG facilities can avoid providing their mission: to encourage and train Individuals to make their own messages.

I am all for getting the facilities out to rural areas. It has been discussed for over 10 years and I imagine it will still be discussed (promised but not delivered) for another 10.

Carol Bain

"Freedom of the press is the staff of life for any vital democracy." quote by Wendell Willkie

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digitaleye
 Regular

[profile](#) [pm](#)



Joined: 19 Jul 2003
 Posts: 12

Posted: Wed Jul 30, 2003 10:28 am Post subject: Re: Why Not Broadcast Board Meetings?

[quote](#)

Rob Reef wrote:

Olelo has five channels. Wouldn't it make sense to announce board meetings in advance through simple PSA's to encourage people to attend? In fact why not broadcast the board meetings to keep people informed of their activities ☺

Has anyone thought of this simple solution ☺

Of course it has been thought of and suggested over and over. It is logical for corporation that is supposed to provide ACCESS to video equipment, channels training to give the public access to their board notices and meetings through very medium they are charged with providing. That would set a good example right? They occasionally video tape one meeting out of 4 a year, but it is usual one at a satellite center when they call in their inexperienced skills to sing the praises of 'Oleio.

There is a board meeting tomorrow at the Kahuku satellite center, perhaps they will videotape it for the usual minimal airing of 3 times, if that many.

jg

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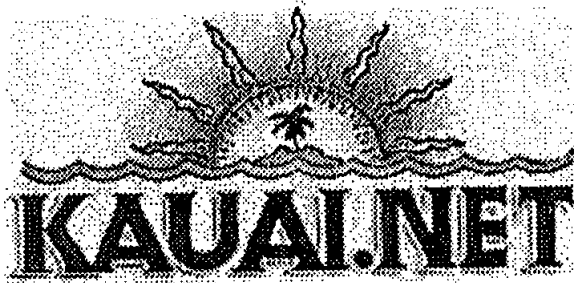
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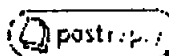
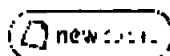


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ISSUE # 14: Programming (CSPAN for Hawaii)



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Author

Message

Comment on draft PEG plan

Regular



Joined: 18 Jul 2003
Posts: 19

Posted: Mon Jul 21, 2003 1:36 pm Post subject: ISSUE #14: Programming (CSPAN for Hawaii) [quote](#)

ISSUE # 14: Programming (CSPAN for Hawaii) [\(Click here to review - ISSUE #14\)](#)

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Carol Baln
Hyper Active



Posted: Mon Jul 21, 2003 2:14 pm Post subject: CSPAN [quote](#)

The cable industry provides a fine service of programming called CSPAN and donates the channels for CSPAN & CSPAN2. I enjoy CSPAN and know it is operated and funded by Cable TV owners. It does not use government mandated franchise fees or PEG channels. If the monopoly Oceanic Time Warner Cable wants to provide an additional service called CSPAN Hawaii they are free to do so, but not

Joined: 05 Jul 2002
Posts: 55

with PEG franchise fees or PEG channels. ☺

Carol Bain

"Freedom of the press is the staff of life for any vital democracy." quote by Wendell Willkie

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digitaletye
Guest

Posted: Mon Jul 21, 2003 3:35 pm Post subject: Programming (CSPAN for Hawaii) [quote](#)

HI-SPAN sounds like a good idea and I agree that Oceanic Time Warner (Oceanic TW) should donate the channel, but that will probably never happen because C-SPAN now has 3 channels and Oceanic TW only carries C-SPAN 24/7 and C-SPAN 2 till 4 pm. They have yet to provide C-SPAN 3 at all.

If a HI-SPAN channel were to come into existence the state legislature could mandate KHET to carry it LIVE on the new channels they will have once they convert to digital with the 2 million dollars allocated by the state. This would be a good exchange for that 2 million plus the almost 20% of franchise fees they collect from all islands. Of course the legislature would have to come up with more funds for "Capitol TV" so they could provide more programming to fill the extra channel(s). ☺

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Ed Coll
Hyper Active

████████



Joined: 04 Jul 2002
Posts: 207
Location: Here Now

Posted: Tue Jul 22, 2003 8:32 am Post subject: Your Boondoggle is on the way! [quote](#)

Quote:

Some members of the community have identified a need for more civic affairs programming including State and County legislative, executive and judicial proceedings, as well as community based activities such as neighborhood board meetings.

These "members of the community" wouldn't happen to be members of access boards and their state funded employees would they? ☺

Quote:

he goal is to provide statewide distribution of civic / public affairs television programming as a means to encourage democratic participation and public interest through cablecasting. This endeavor will require the commitment and cooperation of many organizations including coordination of their resources.

I thought this type coverage was the responsibility of the G channel? With the exception of Neighborhood boards (which should be produced by the public for airing on the P channel) everything cited above is a governmental process and the government should already be committed to encouraging democratic participation in these processes. Instead of throwing out good money after bad the question should be "why isn't this type of programming already being done by the government?"

Quote:

There are many alternative approaches to accomplish these objectives, such as the expansion and enhancement of "G" programming currently provided by each of the four PEG access organizations.

That makes sense to me with increased government funding to outsource the production to competitive bidding by video professionals.

Quote:

Another option which has been suggested is the creation of a separate, independent non-profit entity which would produce and distribute public affairs programming in Hawaii, similar to what CSPAN does on a national level. This non-profit would be responsible for managing the creation and distribution of public affairs programming on a statewide basis. A source or sources of financial support would need to be identified. Also, there are issues concerning channel capacity which would need to be addressed.

This "CSPAN for Hawaii" sounds like a boondoggle idea from the access organization boards and their state funded employees attempting to distance themselves even further from the public they serve and their mission of turning passive viewers into active speakers.

CSPAN is voluntarily funded by cable television industry and receives no government or government mandated funds. It is not public access since the public does not produce nor exert editorial control over content. State mandated PEG monies should not be used for this purpose. If C-SPAN is the model then the source of financial support and channel capacity should be the monopoly cable television industry in Hawaii - Oceanic Time Warner Cable. If OTWC wants to voluntarily fund a CSPAN Hawaii as part of being a good corporate citizen that would be an excellent contribution to the community ,

Ed Coll - Asking questions is a human right!

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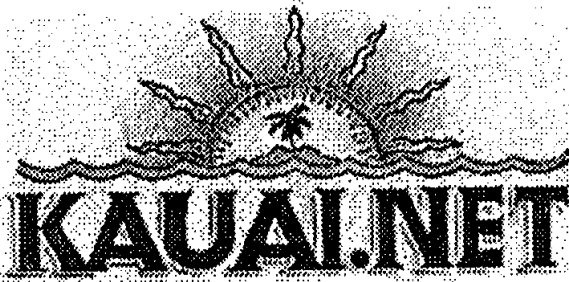
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ISSUE #13: Review of connectivity (PEG Network)...

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Regular



Joined: 18 Jul 2003
Posts: 19

Posted: Mon Jul 21, 2003 1:34 pm Post subject: ISSUE #13: Review of connectivity (PEG Network)...

[quote](#)

ISSUE #13: Review of connectivity (PEG Network)
currently provided by TWE @ (Click here to review - ISSUE #13)

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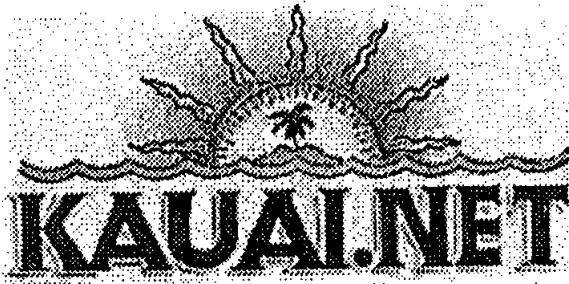
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ISSUE #12: Development of technical standards




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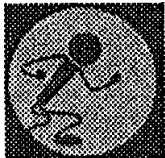
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Author

Message

Comment on draft PEG  Posted: Mon Jul 21, 2003 1:33 pm Post subject: ISSUE #12 Development of

[Quote](#)



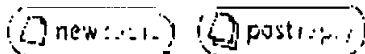
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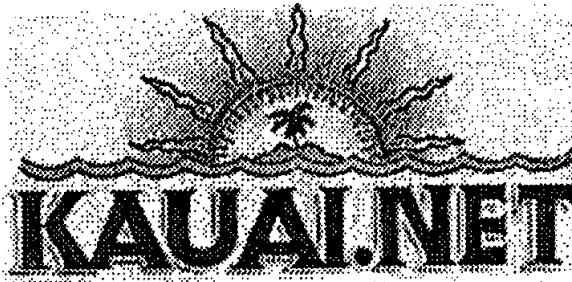
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ISSUE #8-Cooperation & Collaboration Among PEG Organ...



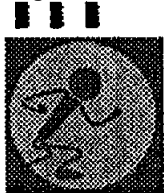
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Author

Message

Comment on draft PEG plan
Regular





Joined: 18 Jul 2003
Posts: 19


Posted: Mon Jul 21, 2003 1:29 pm **Post subject:** ISSUE #8-Cooperation & Collaboration Among PEG Organ...






[quote](#)

ISSUE #8: Cooperation and Collaboration Among PEG Organizations (Click here to review - **ISSUE #8**)

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Clyde Sonobe
08/19/2003 10:08 AM

To: Patti K Kodama/DCCA@DCCA
cc: Glen WY Chock/DCCA@DCCA
Subject: Re: Let the State Library system run PEG Access!!!

Patti, please add to the Kauai comment file.

Clyde

— Forwarded by Clyde Sonobe/DCCA on 08/19/2003 10:07AM —



Mark E Recktenwald
08/19/2003 09:56 AM

To: [REDACTED]
cc: Clyde Sonobe/DCCA@DCCA, Garrett K Kashimoto/DCCA@DCCA
Subject: Re: Let the State Library system run PEG Access!!!

Ed:

Thanks for your kind words, and for your suggestion. I will be sure your email is included along with the other comments on the report, so we can consider it.

Regards, Mark

[REDACTED]



[REDACTED]
08/15/2003 10:09 AM

To: Mark Recktenwald <mrecktenwald@dcca.hawaii.gov>
cc: Gary Hooser, [REDACTED], Mina Morita
[REDACTED], KPCR News, [REDACTED]
Honolulu Star Bulletin, [REDACTED], Chris Cook
[REDACTED], Les Ihara, [REDACTED]
Subject: Let the State Library system run PEG Access!!!

Aloha Mark,

Mahalo for the well run meeting on Kauai. It certainly was a refreshing change from how previous meetings were run. I have cc:'d this email to some media outlets and State legislators as well as posted it on the Kauai Net Comment on DCCA draft PEG Plan forums at:

<http://kauai.net/phpBB2/viewforum.php?f=63&sid=4a95272cf0165fd0824a5eb6d5845685>

...but I wanted to specifically bring this idea to your attention as it may be an simple yet elegant solution which solves at pleathora of problems currently plaguing PEG access organizations and the public they serve.

Let the State Library system run PEG Access!!!

This solution has not been considered in the current draft plan. I believe it deserves serious consideration.

Here are some points favoring this plan;

State Libraries while a government agency have a long history of defending an promoting free speech dating back to the founding of our country.

Libraries already promote literacy and teach information retrieval. Funding

and expanding their mission to promote media literacy and teach production techniques is a logical extension of their mission.

Check in and check out procedures are well established? A "certified" logo on the library card could indicate permission to check out equipment.

Libraries are already integrated into the communities.

PEG revenues could be distributed more equitably throughout the state with funding specifically earmarked for PEG uses including technical and training staff

Librarians are content to do their jobs to complete their mission. They check out books but do not insist upon writing their own. Thus the unhealthy tendency (apparent in the current PEG Access organizations) to become a for profit production company is diminished.

Libraries do not try to subvert their mission of promoting literacy, checking out books, and information retrievals training by engaging in, "program production, or community building" as has been seen in the presumptuous access organization boards and their state funded employees.

The state has not required their libraries to submit a self sufficiency plan as was requested from the access organizations.

Libraries serve undifferentiated members of the public (people) and not corporations (neither "non-profit" nor for-profit). This avoids the well documented favoritism to special interests by PEGs.

As State agencies libraries are already subject to state audits, Sunshine and Open Records Laws.

Libraries performing this type of service is not new. I saw this type of system work effectively in the 1970's at Evergreen State University in Olympic Washington. The University library would train students, allowed them check out port-a-pack video recorders, and provide editing equipment to produce programs.

I would appreciate your opinion regarding this suggestion.

Ed Coll

Dr. Robert A. Zelkovsky
Bamboo Moon Productions
digital video/television productions

CABLE DIVISION
COMMERCIAL AND
CABLE SERVICES

AUG 18 2 02 PM '00

AUG 18 2 02 PM '00

web-site: [REDACTED]
e-mail: [REDACTED]

FILE # 2003-53

D.C.C.A.
1010 Richards Street
Honolulu, HI., 96813
RE: Public Access Television

Our show is aired on public access stations on Kaua'i, Oahu, Maui and Hawai'i, as well as in Michigan, California and the Cook Islands.

What I am increasingly finding is the diminishment of the "public access" to the public access television. This is mostly coming in the form of more regulations for the presenter. For example, at 'Olelo, tapes must be submitted on Beta or DVCam, two formats that not only require expensive tapes but are not used by many people. We are a production company and we do not have that capability, We must pay someone for the transfer and the tape.

Another challenge is that each station has their own set of requirements for the tape: some want :30 seconds of black, some :60. 'Olelo now wants no tape over 28:30 or in those increments.

These requirements are a challenge for us, a production company, how about for the non-producer? If a person receives a VHS tape about a certain topic that he or she feels would be a

graphics etc., which most people can not do. They must hire someone or the public access will "format for a fee". That paying to be on public access and not very public or free.

I would like to see standardized requirements both statewide and nationally to make public access more accessible.

A problem here on Kaua'i is Ho'i ike's tendency over the past three years or so to become violating Sunshine Law.

Sincerely,
Dr. Robert A. Zelkovsky
Dr. Robert A. Zelkovsky

2003-7 ,



n 08/23/2003 12:31:41 AM

To: cabletv@dcca.hawaii.gov

cc:

Subject: Topic Reply Notification - ISSUE #8-Cooperation & Collaboration Among PEG Organ...

Charset: iso-8859-1

Hello Comment on draft PEG plan,

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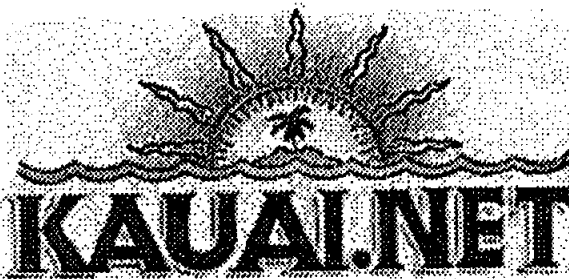
<http://host14.ipowerweb.com/~kauainet/phpBB2/viewtopic.php?p=1600#1600>

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<http://host14.ipowerweb.com/~kauainet/phpBB2/viewtopic.php?t=357&unwatch=topic>

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Aloha,
Kauai Net



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Author

Message

Comment on draft PEG plan
Regular



Joined: 18 Jul 2003
Posts: 19

Posted: Mon Jul 21, 2003 1:29 pm Post subject: ISSUE #8-Cooperation & Collaboration Among PEG Organ...

[quote](#)

ISSUE #8: Cooperation and Collaboration Among PEG Organizations (Click here to review - ISSUE #8)

HOW TO COMMENT

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- ➔ press the **POST REPLY** button (above left), type your comment and press the **SUBMIT** button. To send your comment directly to DCCA cut, paste and email your comment to: mailto:cabletv@dcca.hawaii.gov

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Wendy Arbelt
Prolific



Joined: 17 Aug 2003
Posts: 22

Posted: Fri Aug 22, 2003 2:31 pm Post subject: cooperation

[quote](#)

I heartily agree with the paragraph on Equipment Resources. However, with regard to Personnel Resources, I'd like to know who's paying for those "roundtables"? Will the public be able to take advantage of them too? They should.

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2003-72

 08/23/2003 01:14:11 AM

To: cabletv@dcca.hawaii.gov
cc:

Subject: Topic Reply Notification-ISSUE #11: Daily operational procedures " Responsibility..

Charset: iso-8859-1

Hello Comment on draft PEG plan,

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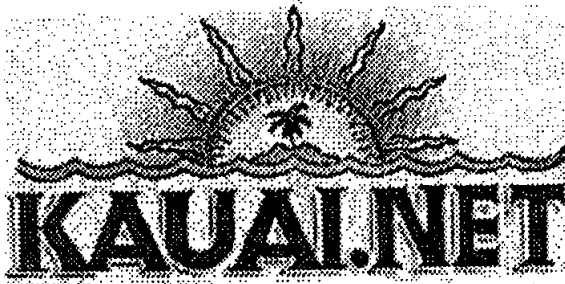
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Aloha ,
Kauai Net



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ISSUE #11: Daily operational procedures - Responsibility...

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Author

Message

Comment on draft PEG plan
Regular



Joined: 18 Jul 2003
Posts: 19

Posted: Mon Jul 21, 2003 1:33 pm Post subject: ISSUE #11: Daily operational procedures - Responsibility...

[quote](#)

ISSUE # 11: Daily operational procedures - responsibility of each PEG (Click here to review - **ISSUE #11**)

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Wendy Arbeit
Prolific



Joined: 17 Aug 2003
Posts: 22

Posted: Fri Aug 22, 2003 3:14 pm Post subject: and DCCA's responsibility?

[quote](#)

Quote:

"Although the DCCA recognizes the unique needs of all four PEG access organizations, it strongly encourages the implementation of daily operational guidelines that address certain significant issues."

Oieio has guidelines -- that it implements in a discriminatory manner. That includes programming, equipment availability, abiding by disclaimers and other paperwork producers must sign, and things political. DCCA CATV has been made aware of this whenever it occurs (which is frequently). It has done nothing to date. What does it propose to do to insure that the **PEGs** carry out this "responsibility"?

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n 08/23/2003 01:15:22 AM

To: cabletv@dcca.hawaii.gov
cc:

Subject: Topic Reply Notification - ISSUE #12: Development of technical standards

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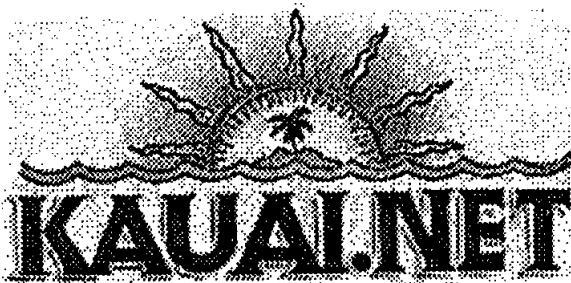
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Author

Message

Comment on draft PEG plan
Regular

Posted: Mon Jul 21, 2003 1:33 pm Post subject: ISSUE #12: Development of technical standards

[quote](#)



Joined: 18 Jul 2003
Posts: 19

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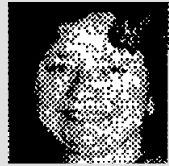
Wendy Arbeit
Prolific

Posted: Fri Aug 22, 2003 3:15 pm Post subject: yes

[quote](#)

A uniform set of standards is most desirable.

Joined: 17 Aug 2003
Posts: 22

[Back to top](#)[profile](#) [pm](#)**Carol Bain**
Hyper ActiveJoined: 05 Jul 2002
Posts: 57**Posted:** Sat Aug 23, 2003 6:58am **Post subject:** standards[quote](#)

All PEG facilities need to keep in mind whom they are serving: The Public.

For videotape submission, for instance, make it easy for the average person. Don't demand expensive tape formats, excessive forms and prohibitive standards. I believe all PEG's except 'Olelo for some strange reason, allow VHS format, with short presenter tags at the end.

PEG access is NOT PBS - nor should it ever strive to be.

I have worked at PBS stations and met engineers with very high broadcast standards who would stop a program from airing unless very strict technical standards were met ☹ ...this is simply not necessary for the audience PEG senres.

Remember, its the "Speakers" PEG primarily serves...not the "Viewers". Yes, the audio must be audible and the message should be viewable, but if its a big grainy or not perfect, that is OK.

Carol Bain

"Freedom of the press is the staff of life for any vital democracy." quote by Wendell Willkie

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2003-74



on 08/23/2003 02:26:57 AM

To: cabletv@dcca.hawaii.gov
cc:

Subject: Topic Reply Notification - General Comments on Overall Plan

Charset: iso-8859-1

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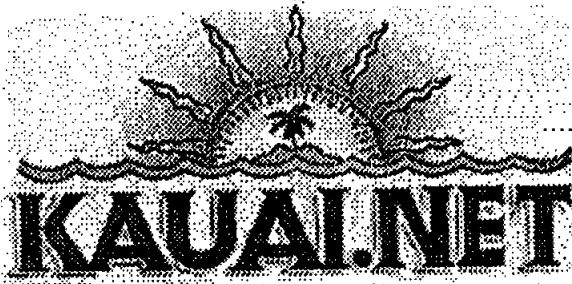
<http://host14.ipowerweb.com/~kauainet/phpBB2/viewtopic.php?p=1609#1609>

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<http://host14.ipowerweb.com/~kauainet/phpBB2/viewtopic.php?t=371&unwatch=topic>

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Aloha,
Kauai Net



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(GeneralComments on Overall Plan



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Author

Message

Comment on draft PEG Plan
 Regular

Posted: Sun Aug 17, 2003 4:05 pm Post subject: General Comments on Overall Plan

[quote](#)



Joined: 18 Jul 2003
 Posts: 19

General Comments on Overall Plan

HOW TO COMMENT

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Wendy Arbelt
 Prolific



Joined: 17 Aug 2003
 Posts: 22

Posted: Fri Aug 22, 2003 4:26 pm Post subject: INTRODUCTION

[quote](#)

Quote:

"possible alternatives for change which have been suggested by various parties"

Glaringly omitted are those alternatives suggested by the public directly to DCCA. The draft is clearly not the neutral document it purports to be. It **inappropriately**

bathes the Access organizations in a positive light, implying that perhaps a bit of tinkering around the edges is all that is called for. Director Rectenwald and OAHV Administrator Sonobe have been made well aware of the many fundamental dysfunctions of some of the access organizations. We have pleaded for a Marion Higa management and fiscal audit so that the truth or absence thereof of our claims and access counter-claims can come fully to light. That this "option" was not included in the Draft calls into question the true intent of the document.

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Wendy Arbelt
Prolific



Joined: 17 Aug 2003
Posts: 22

Posted: Fri Aug 22, 2003 4:32 pm Post subject: BACKGROUND

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Quote:

"On Oahu, 'Olelo has entered into a contract with the Hawaii Educational Network Consortium ("HENC ") to be its Education Program Manager ... 'Olelo allocates twenty-five percent (25%) of its revenues from franchise fees to HENC to fund educational programs and services that are primarily cablecast on two of 'Olelo channels."

This implies that all educational programming is included in the 25% that goes to HENC. On Oahu Olelo has set up and supports (through equipment, staff, training, and air time) "satellite" stations that are primarily used by public schools. These are not included under the HENC agreement and are not separated out of Olelo's budget from services to the public sector, thus muddying how much the education sector is really receiving (and how much the general public sector is NOT receiving).

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2003-76



08/23/2003 05:07:18 PM

To: cabletv@dcca.hawaii.gov
cc:

Subject: Topic Reply Notification* ISSUE #13 Review of connectivity (PEG Network)...

Charset: iso-8859-1

Hello Comment on draft PEG plan,

You are receiving this email because you are watching the topic, "ISSUE #13: Review of connectivity (PEG Network)..." at Kauai Net Listening Post. This topic has received a reply since your last visit. You can use the following link to view the replies made, no more notifications will be sent until you visit the topic.

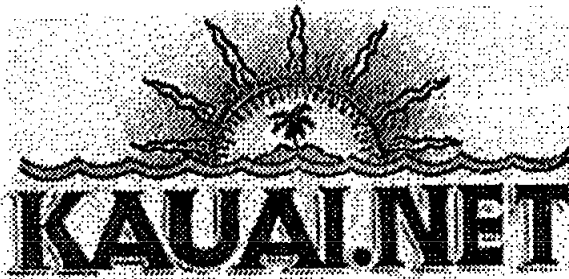
<http://host14.ipowerweb.com/~kauainet/phpBB2/viewtopic.php?p=1612#1612>

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Aloha,
Kauai Net



Kauai Net Listening Post

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ISSUE #13: Review of connectivity (PEG Network) ...

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Author

Message

Comment on draft PEG
plan
Regular

■ ■ ■



Joined: 18 Jul 2003
Posts: 19

Posted: Mon Jul 21, 2003 1:34 pm **Post subject:** ISSUE #13: Review of connectivity (PEG Network)...

[quote](#)

ISSUE #13: Review of connectivity (PEG Network)
currently provided by **TWE** (Click here to review - **ISSUE #13**)

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- ➔ press the POST REPLY button (above left), type your comment and press the SUBMIT button. To send your comment directly to DCCA cut, paste and email your comment to: mailto:cabletv@dcca.hawaii.gov

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Carol Bain
Hyper Active

1 1 1 1 1



Posted: Sat Aug 23, 2003 7:07 am **Post subject:** connectivity

[quote](#)

The time to review connectivity was during the last cable franchise **renewal**. Good luck doing it now.

On Kauai, I **do** recall that the past cable company manager, Bill Harkins, **told me** he offered to connect the County building for G access...no one ever replied

oined: 05 Jul 2002
Posts: 57

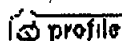
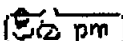
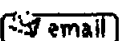

according to his comments to me. I never directly inquired with the County Clerk, but I don't see why they would not want to be connected.

Of course, last year during the last franchise buy out by Time Warner Oceanic cable fired him. He was one of the biggest supporters of true cable access...maybe that was why he was fired...? We will never know.

Carol Bain

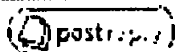
"Freedom of the press is the staff of life for any vital democracy." quote by Wendell Willkie

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"'Ehu Kekahu Cardwell"
07:24:50 PM

on 08/23/2003

2003.80

To: <cabletv@dcca.hawaii.gov>
CC:

Subject: Testimony RE Proposed DCCA Changes To 'Olelo Community Access Television

Aloha.

I wish to vehemently protest the changes DCCA is proposing that would affect community access television in Hawai'i and 'Olelo in particular.

'Olelo gives vital access to the community both for viewers as an alternative to mainstream media viewing as well as entities that are not otherwise able to get their message out throughout Hawai'i to viewers.

It is apparent to me that your proposed changes could put a lot of what 'Olelo is doing in jeopardy and specifically would place their continued funding into the hands of politicians where it should never be.

It is vital that 'Olelo and all of community access television in Hawai'i continue to have an unrestricted ability to express their viewpoints without the worry of retribution through the elimination of funding later on by those who do not agree with their message.

I therefore strongly recommend that the proposed changes not be implemented.

Mahalo,

'Ehu Kekahu Cardwell

Anahola, Kaua'i

2003-16

 on 08/31/2003 06:27:16 PM

To: cabletv@dcca.hawaii.gov

cc:

Subject: Topic Reply Notification - ISSUE #3: Cable Advisory Committee

Charset: iso-8859-1

Hello Comment on draft PEG plan,

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<http://host14.ipowerweb.com/~kauainet/phpBB2/viewtopic.php?t=350&unwatch=topic>

--

Aloha,
Kauai Net

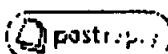
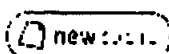


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ISSUE #3: Cable Advisory Committee


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Author

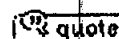
Message

 Comment on draft PEG
plan

Regular


 Joined: 18 Jul 2003
Posts: 19

Posted: Fri Jul 18, 2003 5:19 pm Post subject: ISSUE #3: Cable Advisory Committee


ISSUE #3: Cable Advisory Committee (Click here to review - ISSUE #3)
HOW TO COMMENT

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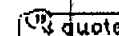
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 Ed Coll
Hyper Active


Posted: Fri Jul 18, 2003 6:35 pm Post subject: More info on appointment process please?



Are applications received public record ?

May I examine them ?

Are board recommendations to DCCA public record ?

May I examine them ?

How many times has DCCA or the cable operator exercised the discretion to reject

Joined: 04 Jul 2002
 Posts: 208
 Location: Here Now

the board recommendations for appointment?
 Are these rejections public record?
 May I examine them?
 May an individual member of the public directly request appointment from the director of the DCCA?
 How many times has this occurred?
 How many member of the public directly requesting appointment by the director of DCCA have been appointed?
 Are these appointments public record?
 May I examine them?
 Are the requests for appointment rejections public record?
 Has the cable operator or the Director of DCCA ever removed a director?
 If so how many directors were removed and by whom?
 When were they removed?
 Were They removed with cause?
 From which access organizations were these directors removed?
 Are these removals, cause for removal, and related documents public record?
 May I examine them?
 Please cite the authority by which the Director of DCCA and the cable operator have the authority to remove directors once they are appointed.

Ed Coli - Asking questions is a human right!

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Ibeenthere
 (Guest)

☐ Posted: Thu Aug 07, 2003 1:51 pm Post subject: CAC appoitments

CAC is the only formal state oversight that is guaranteed to operate in full sunshine. There's part of the State law that provides that the any objections raised by CAC must be considered when DCCA amends cable Franchise orders. This is critical oversight that has been sorely missed since CAC was abandoned by the Cayetano administration!

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Carol Bain
 HyperActive



Joined: 05 Jul 2002
 Posts: 57

☐ Posted: Thu Aug 07, 2003 3:39 pm Post subject: CAC- I volunteer

The Cable Advisory Committee could have been very helpful to provide guidance to PEG access over the past ten years had it been active. The CAC has not completed its purpose because PEG access is in serious difficulty many times and guidance is needed now.

Let's all ask Governor Lingle to do the right thing and appoint an active group of people to the CAC who understand the importance of providing cable access to the public. Though Caytano couldn't seem to do it, surely Governor Lingle can find a good group of people to serve on this important committee.

I volunteer. 😊

Carol Bain

"Freedom of the press is the staff of life for any vital democracy." quote by Wendell Willkie

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Guest

☐ Posted: Fri Aug 08, 2003 9:23 am Post subject: **CAC- I volunteer**
[quote](#)
[all to](#)

I volunteer as well.

In HRS 440g <http://hpam.hi.net/HRS/hrs440g.html> the DCCA Director has too much power. In the absence of the Cable Advisory Committee, the statute given the director sole discretion to determine what is "in the public interest". It is evident that the Director has not given much consideration to "any objections arising from the public hearing".

Also, the ability of the director to insert his/her own proposals affecting "the public interest" without them having to be made available publicly before the order is signed is undemocratic to say the least.

§440G-8 Issuance of cable franchise authority; criteria; content. (a) The director is empowered to issue a cable franchise to construct or operate facilities for a cable system upon the terms and conditions provided in this chapter.

(b) The director, after a public hearing as provided in this chapter, shall issue a cable franchise to the applicant when the director is convinced that it is in the public interest to do so. In determining whether a cable franchise shall be issued, the director shall take into consideration, among other things, the content of the application or proposal, the public need for the proposed service, the ability of the applicant to offer safe, adequate, and reliable service at a reasonable cost to the subscribers, the suitability of the applicant, the financial responsibility of the applicant, the technical and operational ability of the applicant to perform efficiently the service for which authority is requested, any objections arising from the public hearing, the cable advisory committee established by this chapter, or elsewhere, and any other matters as the director deems appropriate in the circumstances.

jg

[Back to top](#)
DV dude
 Guest

☐ Posted: Thu Aug 14, 2003 10:53 pm Post subject:

[quote](#)

Yes PLEASSSEE!

DCCA need oversight from someone that understands what the "P" in PEG means.

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Guest

☐ Posted: Sun Aug 17, 2003 1:16 pm Post subject: **CAC outlived or too lively?**
[quote](#)

"It appears that the prior Administration believed that the CAC had been established to provide guidance during the formative years of cable regulation, and that it had outlived that role."

Interesting assumption. I would draw another conclusion, that members of the CAC would probably take positions at odds with the current administration, therefore it would be expedient not to have to deal with them.

"Option 1: Appoint members to the CAC"

This should be done. all counties should be represented. Airfare should be budgeted from CATV's 1/2% allotment.

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Ed Coll
Hyper Active
██████



Joined: 04 Jul 2002
Posts: 208
Location: Here Now

☐ Posted: Sun Aug 17, 2003 3:53 pm Post subject: I have Questions that need answers

[quote](#)

DCCA wrote:

The Cable Advisory Committee ("CAC") is intended to advise the Director and cable operators, upon request, with cable television related matters.-

Since the CAC only advise the Director or cable operators "upon request" how many times has the Director or cable operators make such requests? Are these requests public record? May I examine them? How many times before 1990 did CAC meet? Are the minutes of these meetings public record? May I examine them? Why has this become an issue 12 years after the last meeting? What entities raised this as an issue.

Ed Coll - Asking questions is a human right!

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Ed Coll
Hyper Active
██████



Joined: 04 Jul 2002
Posts: 208
Location: Here Now

☐ Posted: Sun Aug 17, 2003 3:55 pm Post subject: Why?

[quote](#)

DCCA wrote:

Option 1: Appoint members to the CAC

Under this option, the Governor would appoint five members to the CAC. Current law does not specify residency or other requirements for membership. However, the Governor could select representatives from each of the four counties.

Since the CAC has outlived it's role and has not met since 1990 why would the Governor take this action? unless the Governor or Director feel the CAC has not outlived it's role.

Ed Coll - Asking questions is a human right!

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Ed Coll
Hyper Active

☐ Posted: Sun Aug 17, 2003 3:56 pm Post subject: In violation of Law?

[quote](#)



Joined: 04 Jul 2002
Posts: 208
Location: Here Now

DCCA wrote:

Option 2: Introduce legislation to eliminate the CAC

Such legislation would be appropriate if the CAC has outlived its usefulness.

Why is the introduction of such legislation necessary unless the enabling language is absolutely clear that the Governor shall appoint and the previous and current administrations are in violation of the law by failing to appoint? If the law has and is being violated should the attorney general be informed by the Director

Ed Coll - Asking questions is a human right!

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digitaleye
Prolific



Joined: 19 Jul 2003
Posts: 20

Posted: Sun Aug 31, 2003 8:27 a.m. Post subject: ISSUE #3: Cable Advisory Committee

[quote](#)

Option 1: Appoint members to the CAC

Absolutely, and do it post haste before the Governor is sued for violating state laws:

HRS 440g-13 <http://hpam.hi.net/HRS/hrs440g.html#13>

Option 2: Introduce legislation to eliminate the CAC

Absolutely out of the question !

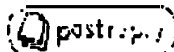
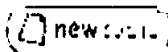
Option 3: Introduce legislation to amend composition of the CAC

Provide for at least one member from each Individual island and at least 4 members from the P sector to represent each franchise area, and a representative from each E & G users groups.

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2003-12

Clyde Sonobe
09/02/2003 10:01 AM

To: Patti K Kodama/DCCA@DCCA
cc: Glen WY Chock/DCCA@DCCA
Subject: DCCA Report Response

Patti, please place in Kauai comment file.

Thanks,
Clyde

— Forwarded by Clyde Sonobe/DCCA on 09/02/2003 10:02 AM —



"Rowena Cobb"

09/01/2003 08:17 PM
Please respond to ro

To: <Mark E. Recktenwald@dcca.hawaii.gov>
<Clyde.Sonobe@dcca.hawaii.gov>, "Roy Shimamoto"
"Bonnie Lake"
"faye akasaki" "J Robertson-WK"
"Jose' Bulatao"
"Mabel Fujiuchi" "Mark Hubbard"
>, "Namulau'ulu Tavana"

Subject: DCCA Report Response

Trying again

Make your day count!
RB Cobb
POB 157
Koloa, HI 96756



- DCCA report 9.1.doc

Monday, September 01, 2003

MEMORANDUM

TO: Department of Commerce & Consumer Affairs
Attn: Mark Recktenwald
Director

Re: DCCA Plan for PEG

In an attempt to develop a statewide plan for the Public Education & Government (PEG) Access channels, it is imperative that Ho'ike reassess its policies and procedures. Attempting to uniform policies and procedures across the State would be difficult unless the baseline understandings are very broad. Not only are the PEG centers distanced from each other, it is also said that each speaks a different language. However, as in the Pidgin English, we still understand one another. Having said this, this attempt is to identify those areas that Ho'ike already addresses or how we address issues that may be problematic.

FEES: Ho'ike has based its operations on funds identified and received through the Cable TV Operator. Budgets are developed based on the monies identified as allowed under the established fee structure with the cable operator. To subsidize additional programs, Ho'ike has written and completed grant projects under the guidelines of its programming policies. As the smallest subscriber base of all PEGs, ((22,000 pax), Ho'ike appears to be the most productive proportionately. Ho'ike is capable in performing efficiently and effectively today. Ho'ike holds continuous classes for interested students and adults; participates by broadcasting community functions; maintain an awareness of unique topics that may interest the entire community; assists organizations to broadcast their message to the community and much more.

CHANNELS: Currently Ho'ike manages three channels (10, 12, 13) for PEG. Soon, a fourth channel will be added that will be identified for "E" and coordinated with the school sector. A few individuals comment that Ho'ike's screens are left "blue" too often; however, the "blue" or "community bulletin board" is a planned and scheduled part of Ho'ike's programs.

By the end of the year, Ho'ike will have installed a new system that will allow programming on the spot and filling of tail ends of programs which may reduce some of the "blue screen". Control of programming of two channels will be quicker contrary to our current procedure -- dropping of the tapes at the Kauai Community College and having a technician install the programs for viewing. The College will assist in the two channels which primarily fill the Education segment of Ho'ike, and

remain involved. When direct feed programs are received, those programs are usually seen via the Education designated channels unless that channel is pre-scheduled, and then another is used.

REGULATION: It is in Ho'ike's interest that DCCA remain an integral part of the PEG process and be directly involved in the franchise negotiation. It is invariably much easier for one entity to work with the cable operator rather than four PEG centers. DCCA's involvement in maintaining uniformity for all PEGS would be an asset. Ho'ike elects not to negotiate as an individual entity for franchise fees now or in the future.

HOME RULE: Because there is only one Cable operator across the state, to delegate each County to negotiate with the Cable Operator would be a mountain of confusion. Plaguing the Counties to undertake, understand, operate, and comprehend PEG would be a definite over load and the beginning of PEG's demise

DCCA The DCCA's involvement in Ho'ike has been that likened to a "grandfather"...supporting a healthy and productive performance and existence; solution guidance clarification of issues; receiving of annual reports; maintaining of sense fluid operations and connectivity. Ho'ike's relationship with DCCA has been a good. DCCA's transferring of duties and responsibilities to the County would by no means enhance the PEGS on each Island. but rather support the organization and forever squelch the existence of PEG.

BOARD APPOINTMENT PROCESS: The reasoning for the varied number of DCCA appointments vs Operator Appointments for each Island differs dependent on needs and wishes of each Board. Ho'ike has seven members appointed by DCCA and two by the cable operator. The source of the reduction of cable appointees to one from the cable company would suffice with the balance of the Board appointments by DCCA.

Currently, the Board identifies and qualifies individuals within the community meeting the geographical and community representative criteria. The selection is sometimes very difficult even at **These** nominees are submitted to DCCA for their appointment with recommendations from the **Board**. Although some individuals may be better known in the community, others are new found friends and co-members with the same vision and dedication. It appears that the process by which Directors are selected is adequate; however, if a change is considered, a self-appointed Board would work very well. This would be the only duty removed from DCCA. Each Board would reflect the appointing and removal in their by-laws as done in other like organizations. Other forms of Board appointments are questionable:

1. Self appointed—Yes, without a DCCA representative. Each member of the Board is required to participate in the activities of each Board. **An** arm's length participant occupies a seat on an active Board. For Ho'ike, reduction of the cable operator appointment to 1 appointee.
2. Appointment by various entities—this would confuse the situation even more
3. Election process—this is cost prohibitive. Today's election process costs and Ho'ike's budget does not provide any cushion for such a process.